



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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DONALD L. WOLFE, Director

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December 15, 2005

IN REPLY PLEASE

REFER TO FILE: **T-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**STREET LIGHTING DISTRICTS  
ANNEXATION AND LEVYING OF ASSESSMENTS FOR  
COUNTY LIGHTING MAINTENANCE DISTRICT 1687 AND  
COUNTY LIGHTING DISTRICT LLA-1, UNINCORPORATED ZONE, AND  
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES  
PETITION NO. 140-902 (MARDEL AVENUE), CITY OF INDUSTRY AREA  
SUPERVISORIAL DISTRICT 1  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the enclosed Engineer's Report, either as filed or as modified, regarding annexation of territory to County Lighting Maintenance District 1687 and County Lighting District LLA-1, Unincorporated Zone, and levy of assessments within the annexed territory for street lighting purposes.
2. Adopt the enclosed Resolution of Intention to Annex Territory to County Lighting Maintenance District 1687 and to County Lighting District LLA-1, Unincorporated Zone, and to Order the Levying of Assessments within the Annexed Territory for Fiscal Year 2006-07. A copy of the diagram showing the proposed annexation territory is enclosed.
3. Set a date for a public hearing regarding the proposed annexation and levy of annual assessments within the annexed territory for street lighting purposes, with a base-assessment rate of \$5 for a single-family residence within County Lighting District LLA-1, Unincorporated Zone for Fiscal Year 2006-07.

4. Instruct the Executive Officer of your Board to cause notice of the public hearing by mail at least 45 days prior to the date of hearing scheduled for \_\_\_\_\_. The mailed notice will include assessment ballots.
5. Instruct the Executive Officer of the Board to cause notice of the public hearing to be posted in three conspicuous places within the territory to be annexed and to publish the notice of public hearing once a week for two successive weeks in a newspaper of general circulation. Such posting and publication to be completed at least 10 days prior to the date of hearing, pursuant to Section 5838 of the California Streets and Highways Code.

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:**

1. Order changes, if needed, in any of the matters provided in the Engineers Report, including changes in the improvement, the proposed diagram, or the proposed assessment.
2. Order the tabulation of assessment ballots submitted, and not withdrawn, in support of or opposition to the proposed assessment.
3. Determine whether a majority protest against the proposed annexation or assessment exists.
4. Adopt the enclosed Resolution Ordering Annexation of Territory to County Lighting Maintenance District 1687 and County Lighting District LLA-1, Unincorporated Zone, confirming a diagram and assessment, and levying of assessments within the annexed territory for Fiscal Year 2006-07, and the enclosed Joint Resolution Approving and Accepting the Negotiated Exchange of Property Tax Revenues resulting from Annexation of Petition No. 140-902 to County Lighting Maintenance District 1687, either as proposed or as modified by your Board. If there is no majority protest against the proposed annexation or assessment, the adoption of the Resolution Ordering Annexation will constitute the levying of assessments in Fiscal Year 2006-07.
5. Find that the annexation and assessment are for the purpose of meeting operating expenses; purchasing supplies, equipment, or materials; meeting financial reserve needs and requirements; and obtaining funds for capital projects, including the installation, operation, and maintenance of street lights necessary to maintain service within the area proposed for annexation.

6. Instruct the Executive Officer of the Board to file a copy of the Resolution Ordering Annexation and the Joint Resolutions Approving and Accepting the Negotiated Exchange of Property Tax Revenues with the County Assessor, Ownership Services Section (Attention Soledad Osborne); and Auditor-Controller, Tax Section (Attention Kelvin Aikens).
7. Make a finding terminating the annexation, levy of assessments, and property tax transfer proceedings for Petition No. 140-902 if the proposed annexation and levying of assessments have been rejected as a result of a majority protest.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Your Board previously held a public hearing for Petition No. 140-902 on October 26, 2004, and determined that a majority protest existed against the assessment, and as a result, abandoned the annexation and levy of assessments, property tax transfer proceedings, and referred the matter back to us. We subsequently notified the property owners that as a result of the majority protest, the annexation and levy of assessment proceedings were terminated and no street lights would be installed. A significant number of property owners have since reconsidered and are now requesting that the annexation and levy of assessment proceedings be reinitiated and that property owners be rebaloted.

These recommended actions are for your Board to annex the territory into County Lighting Maintenance District 1687 and County Lighting District LLA-1, Unincorporated Zone, and levy assessments for Fiscal Year 2006-07 on the benefitted properties within the annexed territory for street lighting purposes. It is also recommended that your Board approve the exchange of property tax revenues among those nonexempt agencies whose service area is subject to the jurisdictional change.

#### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility, as this annexation, levy of assessment, and property tax transfer provides the funding necessary for the operation of new street lighting facilities within the annexed territory.

#### **FISCAL IMPACT/FINANCING**

Sufficient funds are included in the Fiscal Year 2005-06 budget for County Lighting Maintenance District 1687 and County Lighting District LLA-1, Unincorporated Zone to pay the estimated annual cost of \$1,154 for operation and maintenance of ten street

lights within the petitioned area should operating, maintenance, and energy charges be incurred prior to the end of Fiscal Year 2005-06. In subsequent fiscal years, the ongoing operation and maintenance costs of the street lights within this annexed territory will be funded by a portion of the Lighting District's share of ad valorem property taxes collected from property owners within the annexed territories, supplemented by assessments annually approved by your Board. The annexation will result in a minimal property tax growth transfer from the affected taxing entities including the County General Fund, County Library, Road District No. 1, County Fire Department, and the Los Angeles County Flood Control District.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The enclosed Resolution of Intention must be adopted to set a date for the required public hearing. Your Board, at the close of the public hearing, may delay its determination regarding the annexation and levying of assessment until a later date, continue the public hearing to receive further testimony, or make a determination regarding the annexation and assessment.

Under Proposition 218 (State Constitution Article XIID), it is necessary to follow the procedures for levying of assessments previously authorized by your Board, including the sending, receipt, and tabulation of ballots. The assessment will only be levied if the weighted majority of ballots returned are in favor of the assessment. The required public hearing shall be scheduled for Tuesday, \_\_\_\_\_.

Section 99.01 of the Revenue and Taxation Code provides that affected agencies must approve and accept the negotiated exchange of property tax revenues by Resolution. For those agencies with their own governing boards who fail to adopt a Resolution providing for the exchange of property tax revenues, your Board can approve the exchange of property tax revenue for that agency.

The Joint Resolution Approving and Accepting the Negotiated Exchange of Property Tax Revenues approved by nonexempt taxing agencies is enclosed for your consideration.

The boundaries of the proposed annexation have been reviewed and approved by Public Works and the County Assessor in accordance with the requirements of Section 58852 et seq. of the Government Code.

Following your Board's approval of the annexation, levy of assessment, and exchange of property tax revenues, Public Works will file with the State Board of Equalization the statement of boundary changes as required by Section 54900 et seq. of the Government Code.

The Honorable Board of Supervisors  
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The enclosed Resolutions have been approved as to form by County Counsel.

**ENVIRONMENTAL DOCUMENTATION**

This project is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Class 1(x)27 of the County's Environmental Document Reporting Procedures and Guidelines approved by your Board.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Not applicable.

**CONCLUSION**

At such time as these recommendations may be adopted, please return one adopted copy of this letter and the signed Resolutions to Public Works. Also, please forward one adopted copy of the letter and Resolutions to the County Assessor, Ownership Services Section (Attention Soledad Osborne); and to the Auditor-Controller, Tax Section (Attention Kelvin Aikens).

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

FN:pmc  
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cc: Chief Administrative Office  
County Counsel